

City of Dania Beach, Florida
 Department of Community Development
 Planning and Zoning Division
 (954) 924-6805 X3643
 (954) 922-2687 Fax

RECEIVED
 AUG 07 2014
 Planning Department

Standard Development Application

- Administrative Variance
- Land Use Amendment
- Plat
- Rezoning
- Site Plan
- Special Exception
- Variance
- Other: _____

Date Rec'd: _____

Petition No.: RZ-82-14

(SEE APPLICATION TYPE SCHEDULE ON PAGES 3 & 4)

THIS APPLICATION WILL NOT BE ACCEPTED UNTIL IT IS COMPLETE AND SUBMITTED WITH ALL NECESSARY DOCUMENTS. Refer to the application type at the top of this form and "Required Documentation" checklist to determine the supplemental documents required with each application. For after the fact applications, the responsible contractor of record shall be present at the board hearing. Their failure to attend may impact upon the disposition of your application. As always, the applicant or their authorized legal agent must be present at all meetings. All projects must also obtain a building permit from the City Building Division. For more information please reference the **Dania Beach Land Development Code Part 6, Development Review Procedures and Requirements.**

Location Address: 4980 SW 40th Avenue, Dania Beach FL 33314

Lot(s): Parcel A Block: _____ Subdivision: Broward County Utilities Plant No. 3A Site PB 114 P 35

Recorded Plat Name: Broward County Utilities Plant No. 3A Site

Folio Number(s): 504231110010 Legal Description: Broward County Utilities Plant No. 3A Site 114-35 B Parcel A

Applicant/ Consultant Legal Representative (circle one) Michael Vonder Meulen/Keith & Associates Inc.

Address of Applicant: 301 East Atlantic Blvd. Pompano Beach, FL 33060

Business Telephone: 954-788-3400 Home: _____ Fax: 954-788-3500

E-mail address: Mvondermeulen@keith-associates.com

Name of Property Owner: Broward County Board of County Commissioners

Address of Property Owner: 115 S Andrews Ave Rm 421, Fort Lauderdale FL, 33301

Business Telephone: 954-357-7000 Home: _____ Fax: 954-357-7295

Explanation of Request: Rezone from IG to IROC See Attached Justification Letter

*For Plats please provide proposed Plat Name for Variances please attach **Criteria Statement** as per Section 625.40 of the Land Development Code.*

Prop. Net Acreage: 4.75 AC Gross Acreage: 4.90 AC Prop. Square Footage: 11,625 (new tank only)

Existing Use: Water Plant/Utilities Proposed Use: Water Plant/Utilities

Is property owned individually, by a corporation, association, or a joint venture? Yes. Broward County Board of County Commissioners

AUTHORIZED REPRESENTATIVE

I/we are fully aware of the request being made to the City of Dania Beach. If I/We are unable to be present, I/we hereby authorize Keith and Associates (individual/firm) to represent me/us in all matters related to this application. I/we hereby acknowledge that the applicable fee was established to offset administrative costs and is not refundable.

I/we are fully aware that all approvals automatically expire within 12 months of City of Dania Beach Planning and Zoning Board or City Commission approval, or pursuant to the expiration timeframe listed in Part 6 of the Dania Beach Land Development Code.

STATE OF FLORIDA
COUNTY OF BROWARD
The foregoing instrument
was acknowledged

By: [Signature]
(Owner / Agent signature*)

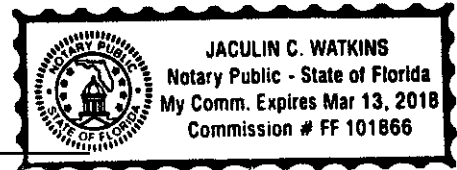
BEFORE ME THIS 27 DAY OF June, 2014

By:

Gregory Balicki
(Print name of person acknowledging)

(Joint owner signature if applicable)

Notary _____
(Signature of Notary Public – State of Florida)



Personally known or Produced Identification _____

Type of identification produced: _____ or Drivers License _____

***If joint ownership, both parties must sign. If partnership, corporation or association, an authorized officer must sign on behalf of the group. A notarized letter of authorization from the owner of record must accompany the application if an authorized agent signs for the owner(s).**

NO APPLICATION WILL BE AUTOMATICALLY SCHEDULED FOR A MEETING.

ALL APPLICATIONS MUST BE DETERMINED COMPLETE BY STAFF BEFORE PROCESSING OCCURS.

Legal Description

Parcel "A" of the Broward County Utilities Plant No. 3A Site, according to the plat thereof as recorded in Plat Book 144 at Page 35 of the public records of Broward County, Florida.

June 23, 2014

Marc LaFerrier, AICP, Community Development Director
City of Dania Beach
100 W. Dania Beach Blvd.
Dania Beach, FL 33004

RE: Rezoning Justification Letter
Rezone from I-G to IROC
Broward County Water Facility 3A
4890 SW 40th Avenue

Dear Mr. LaFerrier;

On behalf of the Broward County Board of County Commissioners, property owner, Keith and Associates, Inc. is requesting approval of a rezoning application from I-G to IROC to allow the expansion of Water Treatment Plant 3A located at 4890 SW 40th Avenue in Dania Beach Florida. The current I-G district does not allow Water Treatment Plants.

Broward County is proposing to construct a 2.5 million gallon water tank and related support facilities within an existing 4.75 acre water treatment plant site. The expansion of the water treatment plant is necessary to comply with State regulations providing adequate Fire Protection and handling maximum daily water demands. The plant will also replace the existing gas chlorine system with a safer liquid chlorine bleach system and demolish the existing dilapidated water treatment plant. Water Treatment Plant 3A services a large portion of Dania Beach west of Interstate-95 shown in Exhibit A.

Broward County Water Treatment Plant 3A is one of the oldest water facilities in Broward County. Aerial photographic evidence shows the plant operating in 1963 as shown in Exhibit B. The water treatment plant along with some of the surrounding property was annexed into the City of Dania Beach on September 15, 2001, pursuant to House Bill 1773 and Chapter 2000-474 of the Florida Statutes.

To bring the existing water treatment plant and proposed expansion into compliance with the City of Dania Beach Land Development Code, Broward County is required to file the following applications:

- **Rezoning** from I-G to IROC to allow municipal water plants as a Special Exception;
- **Special Exception** to meet additional conditions to approve the water plant;
- **Variance** from the established buffer requirement from residential properties; and
- **Site Plan** to allow the proposed improvements.

This justification letter responds to the requirements for a **rezoning**. Below are responses to each of the criteria of the rezoning request.

1. The request is consistent with the city's comprehensive plan; and
Response: The current water treatment plant use is consistent with the utility land use designation found in the City and County Comprehensive Plans and with the designation on the Future Land Use Map (FLUM). The rezoning request to allow the current water treatment plant and the proposed expansion is also consistent with the following Goals, Objectives and Policies of the City of Dania Beach Comprehensive Plan.

Future Land Use Element

Policy 2.1 Facilities and services will meet the levels of services outlined in the Comprehensive Plan Elements.

Water Supply Plan (Chapter 4 of Comprehensive Plan)

Objective I Meet the service demands of the City.

Policy 1.3 Augment the potable water distribution system to provide fire protection of 3,000 gallons per minute with 20 psi residual pressure.

Policy 1.7 Maintain interlocal agreement and interconnects to accommodate future water demands at the adopted level of service.

Objective II Maintain the treatment distribution and storage facilities.

Objective VI To support the on-going and quantifiable communication program ensuring public water supply facilities and services, at the adopted level of service, are planned for and available concurrent with development.

Policy 6.7 Review the level of service standards adopted or amended by all adjacent local governments that are service providers to the County or receive water from the County.

2. The request is consistent with all applicable redevelopment plans, corridor plans, neighborhood plans, and master plans approved by the city commission; and
Response: The applicant is not aware of any redevelopment plans, corridor plans, neighborhood plans or master plans, which would prevent the operation or expansion of the water treatment plant.

3. The request would not give privileges not generally extended to similarly situated property in the area, or result in an isolated district unrelated to adjacent or nearby districts; and
 - a. The request furthers the city's adopted community redevelopment plan, if applicable; or
Response: Not Applicable.

 - b. An error or ambiguity must be corrected; or
Response: Rezoning the property from I-G to IROC will bring the property one step closer to compliance with the City of Dania Beach Land Development Code. Currently the I-G district does not allow water treatment plants. Rezoning to IROC will allow the water treatment plant as a Special Exception use.

 - c. There exists changed or changing conditions which make approval of the request appropriate; or
Response: The water treatment plant has been continually operational since the 1960's. When the property was located in unincorporated Broward County the property was conforming. However, the property was annexed into the City of Dania Beach in 2001 and given a zoning designation which made the property non-conforming. Granting the rezoning will, along with other applications, allow for much needed improvements to the facility.

 - d. Substantial reasons exist why the property cannot be used in accordance with the

existing zoning; or

Response: The current zoning designation I-G does not allow water treatment plants. Granting the rezoning to IROC will allow the water treatment plant to be a conforming use and allow for improvements to the facility, which will improve the water supply and fire protection within the City of Dania Beach.

- e. The rezoning is appropriate for the orderly development of the city and is compatible with existing (conforming) adjacent land uses, and planned adjacent land uses.

Response: Granting the rezoning to IROC will allow the water treatment to continue to operate and allow for improvements to the plant which allow for orderly development while providing additional water quantity and fire protection.

Based on the responses provided above, the applicant respectfully requests approval of the rezoning requested. Our office looks forward to discussing the entire project with the City of Dania Beach.

Sincerely,



Mike Vonder Meulen, AICP
Keith & Associates, Inc.

Cc: Mark Gabriel, Broward County Utilities
Celia D. A. Earle, Ph.D., Brown and Caldwell

1-9-63

Exhibit B

1963 Aerial

Water
Treatment
Plant



AFFIDAVIT

CITY OF DANIA BEACH, FLORIDA
COMMUNITY DEVELOPMENT DEPARTMENT
POSTING OF PUBLIC HEARING NOTICE SIGN

STATE OF FLORIDA

COUNTY OF BROWARD

BEFORE ME, the undersigned authority, personally appeared Michael Vonder Meulen, who, after being duly sworn, deposes and says:

1. I, Michael Vonder Meulen, am an individual over the age of 18 years old and
(Print Name)

(CHECK APPLICABLE SPACE)

_____ I am the property Owner,

OR

XX I am a representative of the property owner(s), Broward County Board of County Commissioners, for property located at 4980 SW 40th Avenue, Dania Beach, FL (the "Property"), and this sworn statement pertains to the application for platting, relating to Petition numbers RZ-82-14 in the Code of Ordinances of the City of Dania Beach, Florida.

2. Pursuant to Sec. 610-30(B)(1) of the Land Development Code of the Code of Ordinances of the City of Dania Beach, Florida, on Tuesday, November 25, 2014, I posted, or caused to be posted, a public notice sign along street frontages of the subject Property, with the sign being at least three (3) square feet in area, and between ten (10) and twenty (20) feet from the edge of street pavement in a manner so as to be completely visible from the public rights-of-way. The public notice sign was posted more than ten (10) days before the scheduled public hearing. I am aware that the Code Section cited above requires the sign to state and contain the following information:

PUBLIC HEARING NOTICE

Petition numbers; RZ-82-14

Date; Friday, November 28, 2014

Time; and

Telephone number of the City's Community Development Department.

3. A true and accurate copy (copies) of the subject sign(s) is/are attached to this Affidavit and incorporated by this reference.

FURTHER, AFFIANT SAYS NOTHING MORE.



AFFIANT

Sworn to and subscribed before me on November 25, 2014.



NOTARY PUBLIC

State of Florida at Large

My Commission Expires: 6-12-2016

EXHIBIT "A"
COPY OF PHOTOGRAPH(S)

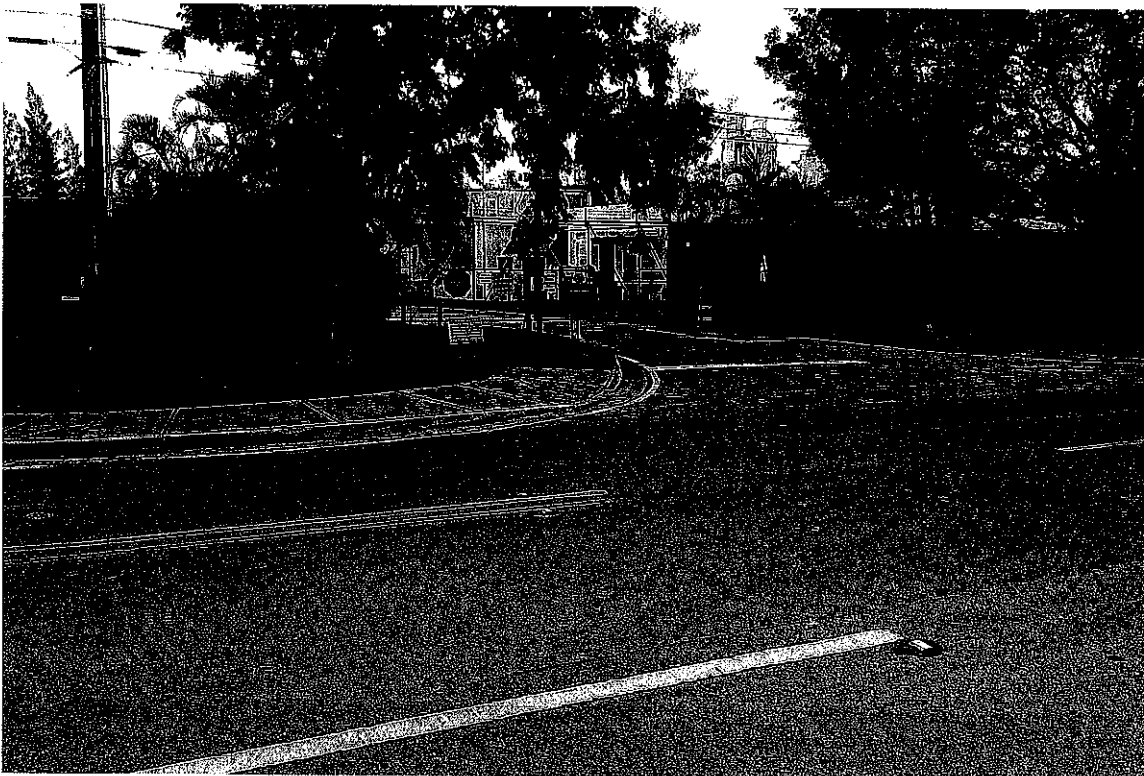
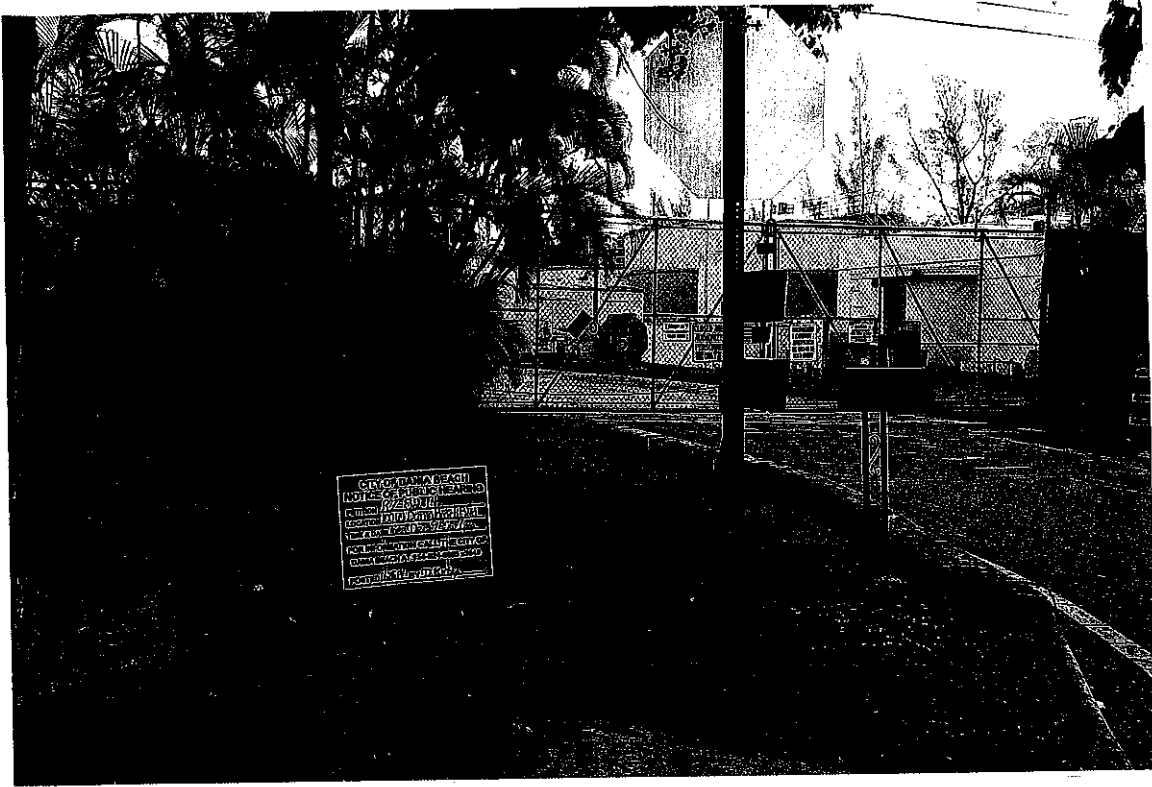


EXHIBIT "A"
COPY OF PHOTOGRAPH(S)

